United Nations S/2013/523

Security Council

Distr.: General
5 September 2013
English
Original: Spanish

Letter dated 2 September 2013 from the Chargé d'affaires a.i. of the Permanent Mission of Honduras to the United Nations addressed to the President of the Security Council

I have the honour to write to you in your capacity as President of the Security Council and, upon instructions from my Government, to convey to you the official letter dated 2 September 2013 containing the response of the Honduran Ministry of Foreign Affairs to a note from El Salvador expressing a protest over acts performed by Honduras in exercising jurisdiction over the Honduran island of Conejo (see annex).

I should be grateful if you would have the present letter and its annex circulated to the members of the Security Council as a document of the Council.

(*Signed*) Marco A. **Suazo**
Ambassador
Deputy Permanent Representative
Chargé d'affaires a.i.

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Annex to the letter dated 2 September 2013 from the Chargé d'affaires a.i. of the Permanent Mission of Honduras to the United Nations addressed to the President of the Security Council

[Original: English/Spanish]
2 September 2013

I have the honour to acknowledge receipt of your note of 1 September 2013, in which you express a protest against acts of sovereignty over the island of Conejo performed by the Government of Honduras.

In that connection, it is incumbent upon me to reject your expression of protest. In addition to pointing out that Honduras has exercised sovereignty over the aforementioned island continuously and peacefully since time immemorial, I wish to clarify the following.

1. The island of Conejo was not in dispute before the International Court of Justice in the case concerning the land, island and maritime frontier dispute between El Salvador and Honduras, Nicaragua intervening, as was stated in the judgment of 11 September 1992, paragraph 431, the relevant part of which reads as follows:

> "For the reasons set out in the present Judgment, in particular paragraphs 323 to 368 thereof, the Chamber, by four votes to one, decides that the parties, by requesting the Chamber, in article 2, paragraph 2, of the Special Agreement of 24 May 1986, 'to determine the legal situation of the islands', have conferred upon the Chamber jurisdiction to determine, as between the parties, the legal situation of all the islands of the Gulf of Fonseca; but that such jurisdiction should only be exercised in respect of those islands which have been shown to be the subject of a dispute."

In the operative part, the Chamber decides that the islands shown to be in dispute between the parties are El Tigre, Meanguera and Meanguerita; that the island of El Tigre is part of the sovereign territory of the Republic of Honduras; that the island of Meanguera is part of the sovereign territory of the Republic of El Salvador; and that the island of Meanguerita is part of the sovereign territory of the Republic of El Salvador.

It can easily be concluded from an objective reading of the judgment and the decisions contained therein that at no time was the island of Conejo in dispute.

2. By an application for revision filed with the International Court of Justice, the Government of El Salvador sought indirectly to appropriate the island of Conejo by requesting a revision of the Goascorán sector. The idea behind the application was that, should El Salvador prevail in the revision with a decision by the Court to grant it the Goascorán sector up to the Estero de la Cutú, the island of Conejo would come under the sovereignty of El Salvador because, at a distance of only 600 metres from the coast, it would be inside the three-mile coastal zone.

In its judgment of 18 December 2003, the Court dismissed the Government's application for revision.

3. As befits any State committed to its international obligations and respect for international law, Honduras has accepted and faithfully complied with the judgment handed down by the International Court of Justice on 11 September 1992. Consequently, Honduras has never objected to or expressed a protest against the fact

that the Government of El Salvador performs acts of sovereignty over Meanguera and Meanguerita.

4. The Government of Honduras has rejected the new claims of El Salvador to the island of Conejo and it hereby rejects them once again as unfounded and contrived.

5. We must not fear the full execution of the judicial decisions of competent courts to which we have voluntarily submitted our controversies; rather, we must comply with them fully and without delay. That is one of the most constructive ways possible of contributing to the rule of law and the strengthening of peace and brotherhood.

(*Signed*) Mireya **Agüero de Corrales**
Ambassador
Secretary of State